

Attorney Docket No. 5649.1123

Image DC

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Jung et al.

Application No.: 10/650,415

Filed: August 28, 2003

For: **POST THERMAL TREATMENT METHODS OF FORMING HIGH
DIELECTRICLAYERS IN INTEGRATED CIRCUIT DEVICES**

Confirmation No.: 6569

Group Art Unit No.: 2812

Date: April 14, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of August 28, 2003 rather than August 29, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of August 28, 2003 being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 3;
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS of August 28, 2003 ; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of August 29, 2003 instead of the Express Mail date of August 28, 2003.

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of August 28, 2003 as the filing date pursuant to 37 CFR § 1.10.

In re: Jung et al.
Application No.: 10/650,415
Filed: August 28, 2003
Page 2

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Devin R. Jensen
Attorney For Applicant
Registration No. 44,805

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 14, 2004.


Betty-Lou Rosser



EV 353607250 US

ORIGIN (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery	Flat Rate Envelope	
	<input type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/>		
Date In		Postage 17 85	
Mo. Day Year	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	\$	
Time In	Military	Return Receipt Fee	
<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day		
Weight	Int'l Alpha Country Code	COD Fee	Insurance Fee
Ibs. ozs.			
No Delivery	Acceptance/Clerk Initials	Total Postage & Fees 17 85	
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		\$	

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

X276081



Customer Copy
Label 11-F June 2002

Post Office To Addressee

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	A/JG 28 2003
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	

WAIVER OF SIGNATURE: Customer or addressee's signature is not required if delivery is made without obtaining signature of addressee or addressee's agent if delivery employee judges that article can be left in secure location and it authorizes that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY Weekend Holiday Other _____

Customer Signature _____

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE **919 854 1400**

MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH NC 27627-7428

DAT/SS : 5642 - 1113

PRESS HARD...

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



COPY



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5649-1123

DATE: August 28, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

a patent application
 a Continuation a Divisional a Continuation-in-Part (CIP)
 and claims priority to Korean Patent Application No. 2002-54606, filed on September 10, 2002

Inventor(s) or Application Identifier:

Name: Hyung-suk Jung
Address: 107-2004, Joogong 1-danji Apt.
 Hwaggol Maeul, Youngtong-dong
 Paldal-gu, Suwon-city, Kyungki-do
 Republic of Korea

Name: Nae-in Lee
Address: 116-401, Gwanak Hyundai Apt.
 Bongchun 3-dong, Gwanak-gu, Seoul
 Republic of Korea

Name: Jong-ho Lee
Address: 735-2102, Daerim Solgeo Apt.
 Sanbon-dong, Gunpo-city, Kyungki-do
 Republic of Korea

Name: Yun-seok Kim
Address: 7-1206, Daechi Woosung 1-cha Apt.
 Daechi 3-dong, Gangnam-gu, Seoul
 Republic of Korea

COPY

Entitled: **POST THERMAL TREATMENT METHODS OF FORMING HIGH
DIELECTRICLAYERS IN INTEGRATED CIRCUIT DEVICES**

ATTY DOCKET NO.: 5649-
DATE: August 28, 2003

Correspondence Address:
Customer Number 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, NC 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

Enclosed are:

1. Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. 20 pages of Specification (including 31 claims)
3. 8 sheets of Formal Drawings (35 USC 113)
4. Oath or Declaration
 - a. newly executed (*original or copy*)
 - b. copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional*) [Note Box 6 Below]
 - c. DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. Application Data Sheet. See 37 CFR 1.76
6. Incorporation By Reference (*useable if box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. Microfiche Computer Program (*Appendix*)
8. Assignment papers (*cover sheet(s) and document(s)*)
9. Applicant claims small entity status. See 37 CFR 1.27.
10. Information Disclosure Statement, PTO-1449, and _____ references cited
11. Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. English Translation Document
13. Certified Copy of Application No. ; Filed
14. Sequence Listing/ Sequence Listing Diskette
 - a. computer readable copy
 - b. paper copy
 - c. statement in support
15. An Associate Power of Attorney
16. Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. Other:

The fee has been calculated as shown below:

COPY

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate	Large Entity Rate
BASIC FEE			\$375.00	\$ 750.00
TOTAL CLAIMS	31 - 20 =	11	x 09 = \$0.00	x 18 = \$ 198.00
INDEP CLAIMS	5 - 3 =	2	x 42 = \$0.00	x 84 = \$ 168.00
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 140 = \$	+ 280 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>		Total \$ 0.00	Total \$1116.00	

A check in the amount of \$0.00 to cover the filing fee is enclosed.

ATTY DOCKET NO.: 5649-1
DATE: August 28, 2003

- A check in the amount of \$1156.00 is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- Please charge my Deposit Account No. 50-0220 in the amount of \$_____ for the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
 - a. Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 - b. Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Devin R. Jensen
Registration No. 44,805.

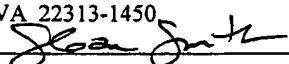
CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV 353607250 US

Date of Deposit: August 28, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sloan Smith



COPY



MS Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

09-08-03 A06:42 IN

DR/JSS

Date: 8-28-03

Doc. No. 6649-1123

Serial No. TBA

Inventor: Jung et al

Sir: Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

Application Transmittal and:
 Specification pages 20
 No. of Claims 31
 Declaration & POA
 Assignment and Fee
 Small Entity Statement
 Formal Drawings/ 8 sheets
 Associate Power of Attorney
 Exp. Mail 1st Class Mail

Other: _____

Check \$ 1156 —
 IDS & PTO-1449 & refs.
 Amendment & Amend. Transmittal
 Preliminary Amendment
 Issue Fee
 Brief
 Appeal
 Submittal of Priority Doc.

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

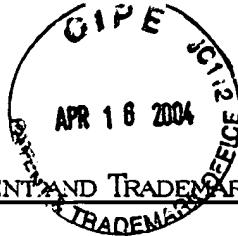
22154 U.S. PRO
10/650415
08/29/03



COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

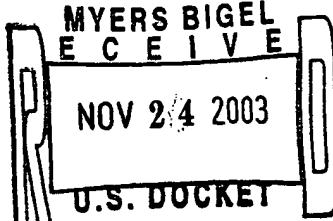


DRAFT

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/650,415	08/29/2003	2812	1116	5649-1123	8	31	5

20792
 MYERS BIGEL SIBLEY & SAJOVEC
 PO BOX 37428
 RALEIGH, NC 27627



CONFIRMATION NO. 6569
FILING RECEIPT



OC000000011326321

Date Mailed: 11/21/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Hyung-Suk Jung, Suwon-city, KOREA, REPUBLIC OF;
 Nae-In Lee, Seoul, KOREA, REPUBLIC OF;
 Jong-Ho Lee, Gunpo-city, KOREA, REPUBLIC OF;
 Yun-Seok Kim, Seoul, KOREA, REPUBLIC OF;

COPY

Domestic Priority data as claimed by applicant

Foreign Applications

REPUBLIC OF KOREA 02-54606 09/10/2002

If Required, Foreign Filing License Granted: 11/20/2003

Projected Publication Date: 03/11/2004

Non-Publication Request: No

11-24-03 A09:57 IN

Early Publication Request: No

Title

Post thermal treatment methods of forming high dielectric layers in integrated circuit devices

Preliminary Class

438

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY